

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 00302-0003	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/CA 00/ 00771	International filing date (day/month/year) 30/06/2000	(Earliest) Priority Date (day/month/year) 30/06/1999
Applicant MCNAUGHTON, Alan, G. et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

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☐ None of the figures.

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International application No.
PCT/CA 00/00771

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1-226 (all claims partially)
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-226 (all claims partially)

The term "TEM" ("transaction execution machine") has no generally well recognised meaning in the art. It seems to encompass, amongst very many other things, both known ATM's, and, for example, home PC's (see applicant's list at pages 14-15 of the description). A customer having two Internet bank accounts, for instance, and using his or her PC at different times to access the own different bank accounts, would be operating a transaction execution system according to the application, since in response to his secure log-in data, the banks would use his PC (a shared TEM) to display their own dynamic branding (the information contained in their web pages).

More generally, an Internet user accessing at different times two different web-sites requiring identification (for example a web-site directed to investment information, and another directed to a subscription-only news service) would also be operating a transaction execution system according to the application. The user's TEM (the browser on the user's PC) would be assuming "multiple personalities" within the meaning of the application. This extremely common situation would appear to read directly onto claims 1, 2, 60, 61 and 124 of the application.

Indeed, the description of the application is so generally worded, and the claims are so generally and broadly drafted, that the subject-matter of the claims is anticipated by so many common situations that an exhaustive listing of them would be impossible. As a result of this generality of expression, the subject-matter for which protection might legitimately be sought (PCT Art 6) is impossible to determine, so that a meaningful complete search of the whole of the claims is rendered impossible. This lack of clarity about the subject-matter which might legitimately be claimed is compounded by the fact that there are 245 (and not the purported 226) claims at presently on file, which means that the application does not meet the clarity and conciseness requirements of PCT Art 6. (It is noted in passing that the use of alphabetic suffixes to claim numbers (as in claim 177A) is not in accordance with PCT Rule 6.1(b))

In addition, claim 124 is so lacking in clarity that a meaningful search of this claim, and the claims dependent upon it, is impossible. Although it purports to be directed to a brandable TEM, this claim defines not the TEM itself but its relationship to a communications system and a configuration system (p.15-17 in the description). Similar comments apply to claims 224 to 226 which contain no technical features directed to the computer media themselves.

Consequently, a meaningful search of the whole of the scope of the claims has proved impossible. Instead, a partial search has been carried out on the following subject-matter: Remote transaction system using ATM, PC or internet for home banking, where a tailored user interface is provided

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

for each financial institute (bank). A user registered with financial institute A will always get A's interface even if consulting an ATM of financial institute B. It has been hard to envisage how the applicant might want to refocus his application. If a refocus occurs which is not within the scope of the search a new search should be asked for.

Finally, and independently of the above, it is noted that claims 1-208 of the present application are identical to claims 1-208 of co-pending application PCT/CA/00772, of same date and from the same applicant, and claiming the same priority as the present application. It is an accepted principle of all patent systems that two patents shall not be granted to the same inventor for the same invention, and the applicant is advised that abandonment of one or other of the applications, or amendment of one or other of the applications so that they no longer claim the same matter, may very well prove necessary in any further prosecution.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/CA 00/00771

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G07F7/10

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHEDMinimum documentation searched (classification system followed by classification symbols)
IPC 7 G07F G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 484 304 A (ANDERSON ROBERT W ET AL) 20 November 1984 (1984-11-20) column 1, line 11 -column 6, line 68 ---	1,2,60, 61,124, 189
X	PATENT ABSTRACTS OF JAPAN vol. 1998, no. 13, 30 November 1998 (1998-11-30) & JP 10 206086 A (SHIMIZU CORP), 7 August 1998 (1998-08-07) abstract ----	1,2,60, 61,124, 189
A	WO 98 24040 A (CRANSTON IAN ANDREW ;RIACH DAVID JAMES AVERY (GB); AMBLER STEPHEN) 4 June 1998 (1998-06-04) the whole document -----	1,2,60, 61,124, 189



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents :

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

4 December 2000

Date of mailing of the international search report

12 12 2000

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INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/CA 00/00771

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 4484304 A	20-11-1984	US 4319336 A	09-03-1982
		AU 535562 B	29-03-1984
		AU 5386279 A	07-08-1980
		BR 8000522 A	21-10-1980
		CA 1138994 A	04-01-1983
		DE 3063383 D	07-07-1983
		DE 3069473 D	29-11-1984
		DE 3072049 D	03-12-1987
		EP 0014312 A	20-08-1980
		EP 0014313 A	20-08-1980
		EP 0064592 A	17-11-1982
		ES 488170 D	16-02-1981
		ES 8103408 A	16-05-1981
		JP 1231668 C	26-09-1984
		JP 55105769 A	13-08-1980
		JP 59005939 B	08-02-1984
		US 4460960 A	17-07-1984
		ZA 8000109 A	25-03-1981
		ZA 8000111 A	25-03-1981
JP 10206086 A	07-08-1998	NONE	
WO 9824040 A	04-06-1998	AU 5129598 A	22-06-1998
		EP 0891595 A	20-01-1999
		JP 2000506656 T	30-05-2000
		US 6012050 A	04-01-2000
		US 6003019 A	14-12-1999